

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

HABITAT FOR HORSES, INC., et al.,

Plaintiffs,

-against-

KEN SALAZAR, in his official capacity as Secretary,  
U.S. Department of the Interior; et al.,

Defendants.

CIVIL ACTION NO. 10-CV-7684 (WHP)(KNF)

**MOTION TO ADMIT COUNSEL  
*PRO HAC VICE***

PURSUANT TO RULE 1.3(c) of the Local Rules of the United States District Courts for the Southern and Eastern Districts of New York, Thomas P. Battistoni, a member in good standing of the bar of this Court, hereby moves for an Order allowing the admission *pro hac vice* of

Applicant's Name: Bruce A. Wagman  
Firm Name: Schiff Hardin LLP  
Address: One Market, Spear Street Twr., 32<sup>nd</sup> Floor  
City/State/Zip: San Francisco, California 94105  
Phone Number: 415-901-8700  
Fax Number: 415-901-8701  
E-mail: [bwagman@schiffhardin.com](mailto:bwagman@schiffhardin.com)

Mr. Wagman is a member in good standing of the Bar of the State of California. There are no pending disciplinary proceedings against him in any State or Federal Court.

Dated: New York, New York  
October 14, 2010

Respectfully submitted,

SCHIFF HARDIN LLP

By: Thomas P. Battistoni  
Thomas P. Battistoni (TB 8012)  
900 Third Avenue, 23<sup>rd</sup> Floor  
New York, NY 10022  
Telephone: (212) 753-5000  
Facsimile: (212) 753-5044  
[tbattistoni@schiffhardin.com](mailto:tbattistoni@schiffhardin.com)

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

HABITAT FOR HORSES, INC., et al.,

Plaintiffs,

-against-

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**AFFIDAVIT OF THOMAS P. BATTISTONI  
IN SUPPORT OF MOTION TO ADMIT  
COUNSEL *PRO HAC VICE***

Thomas P. Battistoni hereby declares under penalty of perjury:

1. I am a partner in the law firm Schiff Hardin LLP, attorneys for plaintiffs Habitat for Horses and the American Society for the Prevention of Cruelty to Animals in the above-captioned action. I am familiar with the proceedings in this case. I make this statement based on my personal knowledge of the facts set forth herein and in support of the Plaintiffs' motion to admit Bruce A. Wagman as counsel *pro hac vice* to represent the plaintiffs in this matter.
2. I am a member in good standing of the bar of the State of New York and was admitted to practice law in 1979. I am also admitted to the bar of the United States District Court for the Southern District of New York and am in good standing with this Court.
3. I have known Bruce A. Wagman since 2008.
4. Mr. Wagman is a partner at Schiff Hardin LLP.
5. I have found Mr. Wagman to be a skilled attorney and a person of integrity. He is experienced in Federal practice and is familiar with the Federal Rules of Procedure.
6. Accordingly, I am pleased to move the admission of Bruce A. Wagman, *pro hac vice*.

7. I respectfully submit a proposed order granting the admission of Bruce A.

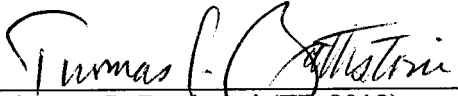
Wagman, *pro hac vice*, which is attached hereto as Exhibit A.

WHEREFORE it is respectfully requested that the motion to admit Bruce A. Wagman, *pro hac vice*, to represent the plaintiffs in the above captioned matters be granted.

Dated: New York, New York  
October 14, 2010

Respectfully submitted,

SCHIFF HARDIN LLP

By: 

Thomas P. Battistoni (TB 8012)  
900 Third Avenue, 23<sup>rd</sup> Floor  
New York, NY 10022  
Telephone: (212) 753-5000  
Facsimile: (212) 753-5044  
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# THE STATE BAR OF CALIFORNIA

MEMBER SERVICES CENTER

180 HOWARD STREET, SAN FRANCISCO, CALIFORNIA 94105-1639

TELEPHONE: 888-800-3400

## CERTIFICATE OF STANDING

October 12, 2010

### TO WHOM IT MAY CONCERN:

This is to certify that according to the records of the State Bar, BRUCE ANDREW WAGMAN, #159987 was admitted to the practice of law in this state by the Supreme Court of California on November 4, 1992; and has been since that date, and is at date hereof, an ACTIVE member of the State Bar of California; and that no recommendation for discipline for professional or other misconduct has ever been made by the Board of Governors or a Disciplinary Board to the Supreme Court of the State of California.

THE STATE BAR OF CALIFORNIA

Kath Lambert  
Custodian of Membership Records

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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-against-

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Defendants.

CIVIL ACTION NO. 10-CV-7684 (WHP)(KNF)

**ORDER FOR ADMISSION  
*PRO HAC VICE*  
ON WRITTEN MOTION**

Upon the motion of Thomas P. Battistoni, attorney for plaintiffs Habitat for Horses and the American Society for the Prevention of Cruelty to Animals, and said sponsor attorney's affidavit in support,

IT IS HEREBY ORDERED that

Applicant's Name: Bruce A. Wagman  
Firm Name: Schiff Hardin LLP  
Address: One Market, Spear Street Twr., 32<sup>nd</sup> Floor  
City/State/Zip: San Francisco, California 94105  
Phone Number: 415-901-8700  
Fax Number: 415-901-8701  
E-mail: [bwagman@schiffhardin.com](mailto:bwagman@schiffhardin.com)

is admitted to practice *pro hac vice* as counsel for plaintiffs in the above captioned cases in the United States District Court for the Southern District of New York. All attorneys appearing before this Court are subject to the Local Rules of this Court, including the Rules governing discipline of attorneys. If this action is assigned to the Electronic Case Filing (ECF) system, counsel shall immediately apply for an ECF password at [nysd.uscourts.gov](http://nysd.uscourts.gov). Counsel shall forward the *pro hac vice* fee to the Clerk of Court.

Dated: New York, New York  
October \_\_\_\_, 2010

\_\_\_\_\_  
United States District Judge

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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Defendants.

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**CERTIFICATE OF SERVICE**

I herby certify that a copy of the foregoing Motion to Admit  
Counsel Pro Hac Vice was  
filed with the Clerk of the Court. I hereby further certify that on October 14, 2010, I served a  
copy of the above-referenced documents by hand delivery, upon the following:

Amy A. Barcelo, Esq.  
Assistant U.S. Attorney  
U.S. Department of Justice  
Southern District of New York  
86 Chambers Street, 3<sup>rd</sup> Floor  
New York, NY 10007

Dated: New York, New York  
October 14, 2010

By: Louis P. Bonilla  
Louis P. Bonilla